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C O N F I D E N T I A L YEREVAN 000202

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SUBJECT: AMBASSADOR AIRS CONCERNS ON YEREVAN ELECTIONS WITH
CEC HEAD

Classified By: AMB Marie L. Yovanovitch, reasons 1.4 (b,d).

¶1. (C) SUMMARY: The Ambassador met March 16 with Garegin Azarian, Chairman of Armenia's Central Electoral Commission (CEC), to voice concerns about the upcoming Yerevan municipal elections. The Ambassador said that the questionable integrity of voter lists and the rumored removal of political party delegates from electoral commissions (ECs) could result in voting and vote count fraud. The Ambassador encouraged the CEC to allow political parties at polling stations to use IFES-designed SMS technology to report results, saying it would create more transparency and public trust in the CEC's electronic reporting system. The Ambassador also requested Azarian to accredit Embassy staff to be election observers. Azarian pushed back on all points, but grudgingly agreed to grant the Embassy six observer credentials. He also asked for U.S. funds for election commission training materials and supplies.

¶2. (C) A TWO-HOUR WRESTLING MATCH: The Ambassador spent two hours with Central Election Commission Chairman Garegin Azarian March 16 pressing Azarian on technical and political issues related to holding a free and fair election for Yerevan mayor and city council May 31. Azarian -- true to past form -- was giving little ground on any of these issues.

¶3. (C) TAKE ANOTHER LOOK AT VOTING LISTS: The Ambassador signaled USG concerns that almost 20 percent of Armenian voters are registered in polling districts where they no longer physically reside, and that such a large discrepancy could result in vote fraud where impersonators could vote in place of these absent citizens, or where citizens could vote in precincts where they are not registered. While Azarian agreed with the 20 percent figure, he argued that overall the voters' lists were in excellent condition, after much updating by the police (Office of Visas and Registration) which controls them. He also said the authorities could not remove citizens for the voter lists absent a) a request by the citizen, or b) notification from the citizen that they had moved. He argued that it would be unfair to unilaterally deprive people of the vote by removing them from the list without a reason. Azarian said that if they want to, citizens can change their polling district 15-21 days before the vote.

¶4. (C) The Ambassador pressed further, urging the CEC to reconsider its handling of the voter lists, and argued that placing more responsibility on citizens to register their current address and polling district -- through annual car registration procedures, for example -- would be an antidote to fraud. The Ambassador also said the Embassy stood ready and willing to help the CEC implement a new voter registry system, if it was prepared to consider one. Azarian replied that even if there was fraud related to the voters lists, it would be negated by the vigilance of members of Precinct Election Commissions (PECs), political party proxies, and election observers at the 440 polling stations.

¶5. (C) REMOVING POLITICAL PARTY REPS FROM PECs: The Ambassador registered USG concerns about the rumored upcoming replacement of political party delegates with civil servants

and teachers on election commissions (PECs), stating that it could result in undue pressure on these people during the vote and vote count. The Ambassador also argued that political parties should be able to protect their rights and responsibilities during elections, and their inclusion in the PECs was an important way of doing this. The Ambassador noted that such last-minute electoral code changes, which she had witnessed in other countries during election observations, would further jeopardize the credibility of the voting process among the Armenian public.

¶16. (C) PITY THE POOR MISUNDERSTOOD GOVERNMENT: Azarian argued that while there were drawbacks to both options -- PECs with political party delegates and PECs with civil servants and teachers -- what Armenia has now is "the worst mixture." In pointing out that the government appoints only one out of the eight members to each PEC, while five members represent the five political parties in parliament, and two are appointed by the judiciary, the government is always blamed for the entire conduct of the vote. Azarian noted that whenever there are violations reported during elections, political parties never share responsibility for them, and that by having the government appoint all eight, the government would once and for all be truly responsible for everything that happens during the vote. In spite of his critique of the current system, Azarian assured the Ambassador of the independence of PEC members, pointing out that each PEC member is going to be motivated by the \$100 salary for two days of work, and \$200 for the chairperson of each PEC. The Ambassador cautioned Azarian that the removal of political party delegates from PECs would hamper political party development, which President Sargsian himself has publicly stated as a goal of the Yerevan elections.

¶17. (C) TEN PERCENT BONUS DISTORTS VOTERS' WILL: The Ambassador also registered USG concerns with the provision in the new Yerevan elections law that will give a ten percent bonus in extra council seats to the party that nets forty or more percent of the vote. The Ambassador said it would give voters who voted for the winning party a disproportionately stronger vote than they deserved, and a weaker vote to voters who voted for parties netting less than 40 percent. The Ambassador added that the will of the voters would not be reflected in the final outcome, arguing that if Yerevan's citizens wanted a coalition city government, they should be entitled to one. The Ambassador also noted that it was unclear how the bonus would work in the case of two parties getting 40 percent.

¶18. (C) MESSY DEMOCRACY NO GOOD ON THE COUNCIL: Azarian agreed that the provision was not ideal, and that it will probably be amended before future Yerevan elections. But he also repeated the party line that the mayor, who will come from the top spot on the winning party's candidate slate, needs the support of the directly elected city council members to govern effectively. Absent a political mandate in the city council, the Mayor "won't be able to work," reasoned Azarian, suggesting that a divided council would restrict the mayor's freedom of maneuver. Azarian then took a swipe at the opposition, sarcastically noting that "if they would consult with the CEC" on how the bonus works, the opposition would learn that even "a minority party" can win the race in the event it nets 40 percent, and six other parties tally net only ten percent (or sixty percent collectively).

¶19. (C) SMS REPORTING COULD BOOST TRANSPARENCY: The Ambassador encouraged the CEC to complement its existing electronic vote count reporting system by allowing political party delegates in PECs to report PEC results independently via SMS text-messaging. The Ambassador noted that a parallel reporting mechanism would both a) improve the transparency of the vote count process, and b) build trust in political parties and the public about the CEC's own reporting system. The Ambassador said the local IFES mission was ready to work with the CEC and political parties on this technology during the upcoming elections.

¶10. (C) GRUDGING ACCEPTANCE: Azarian responded by

complaining bitterly about what he called two years of "failed attempts" to work with IFES on the SMS technology, citing confusion on what the ultimate objective of the technology was. When the Ambassador replied that it would be a parallel results reporting mechanism, Azarian claimed that "we already have that," and creating a second system for uploading vote tallies from PECs to the CEC on election day risked creating "discrepancies." Azarian then said he was prepared to roll it out at a future election, but not this one. After an explanation by the USAID Democracy Officer on its use only by political parties as a way to make sure the vote tabulations reported match, Azarian finally agreed to test pilot the SMS technology with only one party during the upcoming election, and asked USAID to meet with IFES and CEC staff to begin preparations right away.

¶11. (C) BUT WE'D LOVE SOME OF YOUR MONEY: As the Ambassador was leaving, the CEC head asked her for funding support for the upcoming elections. He said he needed funding to print 15,000 sets of training materials for those who have applied to be PEC members on election day; he said the government had already allotted him funding for 7,000 sets, but 22,000 citizens had already applied to be PEC members. Azarian also showed the Ambassador a portable voting booth made out of cardboard that cost 700 AMD (approximately USD 1.90), and asked if the Embassy had funding for the production of 1,500 sets. The Ambassador said the Embassy would try to be supportive, but as the CEC chair must know from past experience, supplies and equipment are usually not the kind of election assistance the USG provides.

¶12. (C) REQUEST FOR EMBASSY ACCREDITATIONS: In response to the Ambassador's request for accreditation of Embassy staff as election observers, Azarian started by saying that normally only staff from OSCE Embassies are accredited during Armenia's elections, as well as one accreditation for any interested non-OSCE ambassador in Yerevan. Azarian then said he would make an exception for the U.S. Embassy, and would grant up to six accreditations in addition to the one for the Ambassador. He also invited the Ambassador to join him at the CEC on election night to watch the vote returns come in. The Ambassador accepted his invitation and thanked him for the accreditations.

¶13. (C) COMMENT: Azarian is a big part of the problem with elections in Armenia. Appointed CEC chairperson by Armenia's former President Robert Kocharian six years ago, Azarian has come under regular fire for doing little to prevent, investigate, and prosecute fraud during Armenia's increasingly volatile elections. And while Azarian may want to paint a rosy picture of his election administration -- that everything is under control going into the election -- a big part of his job is trying to keep international observers from really seeing how the sausage is made. The Embassy will continue to press the authorities on the importance of holding free and fair elections, but we recognize that the upcoming elections -- the first where a Yerevan mayor is to be elected and not appointed -- risk being a re-run of past polls, where significant voting irregularities have been the norm. With few accredited international observers, municipal elections have been among Armenia's dirtiest, and the stakes for this race are much higher than any previous local government election. This combination promises to make things interesting, to say the least.

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